UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/431,753	11/01/1999	JUKKA WALLENIUS	4925-9	9171

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EXAMINER
MIRZA, ADNAN M

ART UNIT	PAPER NUMBER
2141	14

DATE MAILED: 11/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
Office Action Summary		09/431,753	WALLENIUS, JUKKA
		Examiner	**Art Unit**	
		Adnan M Mirza	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 August 2003</u> .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-68</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-68</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: .

DETAILED ACTION

Examiner With draws the finality of the rejection.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

2.   Claims 1-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ullman et al

(U.S. 6,330,595) and Hidary et al (U.S. 5,774,664).

As per claim 1-4,36 Ullman disclosed a procedure for using a time-dependent hyperlink in video,

comprising the steps of: (a) associating content reference for at least one hyperlink with a video

by associating the content reference with coordinates at which the hyperlink appears in the video,

wherein one of the coordinates includes time (col. 3, lines 29-43); (b) transmitting the video from

a first content server to a video browser of a user display (col. 4, lines 44-54); (c) selecting by the

user a selected hyperlink in the video by selecting coordinates at which the selected hyperlink

appears in the video (col. 3, lines 63-67 & col. 4, lines 1-2); (d) determining the content

reference for a new session of the selected hyperlink based on the selected coordinates (col. 9,

lines 60-65);

However Ullman did not disclose in details (e) initiating a connection of the browser to the new

session of the selected hyperlink; and (f) switching the connection of the browser from the first

content server to the new session.

In the same field of endeavor Hidary disclosed the client software retrieves URLs from the video program (embodiment to Fig. 1) or directly from the Internet connection (embodiments of Fig. 2 and 4), interprets these URLs and directs the JAVA enabled browser to retrieve the particular relevant Web pages 102, and synchronizes retrieved Web pages to the video content for display on the user's computer (col. 7, lines 21-28). The user can view the interactive program using a television set or other display monitor in conjunction with the display screen of the personal computer (col. 8, lines 46-49).

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to have incorporated (e) initiating a connection of the browser to the new session of the selected hyperlink; and (f) switching the connection of the browser from the first content server to the new session as taught by Hidary in the method of Ullman to reduce the gap between the programming and the information superhighway of the Internet.

3.   As per claim 5 Ullman-Hidary disclosed wherein said step (d) comprises looking up the content reference in a database in the current content server based on the coordinates selected in said step (c) (col. 7, lines 11-29), the database including the content reference cross-referenced with the coordinates at which the at least one hyperlink for the content reference appears in the video (Ullman, col. 7, lines 40-51).

4.   As per claim 6 Ullman-Hidary disclosed further comprising the step of downloading a file from the current content server to the browser before performing said step (b) (col. 9, lines 45-53), the file containing a database including the content reference cross-referenced with the coordinates at which the at least one hyperlink for the content reference appears in the video and said step (d) comprises looking up the content reference in the downloaded file based on the coordinates selected in said step (c) (Ullman, col. 6, lines 37-52).

5.   As per claim 7,8,37,51,52 Ullman-Hidary disclosed wherein said step (e) further comprises initiating at a call processing server a connection to the new session of the selected

hyperlink (col. 5, lines 4-12), the call processing server being arranged between the current

content server and the browser (Ullman, col. 5, lines 48-52).

6.   As per claim 9,10-13,26-28,39-41,54-56 Ullman-Hidary disclosed further comprising the

step of downloading the switchover application containing information on the at least one

hyperlink in the video being transmitted in said step (b) (Ullman, col. 8, lines 39-67).

7.   As per claim 14,20,29,43,58,64 Ullman-Hidary disclosed wherein the switchover

application performs at least one of the following steps: downloading given contents at given

points in time; playing contents at given points in time (Ullman, col. 3, lines 50-56); checking

content server availability; selecting from several content servers depending on server load

status; requesting the current content server to prepare a content for transmission; requesting the

current content server to start transmitting a prepared document; requesting the current content

server to start transmitting content from a given displacement (Ullman, col. 12, lines 1-22 & col.

13, lines 8-26); requesting a downloading of a new switchover application for the content

referred to by a link (Ullman, col.8, lines 44-54); establishing a new session to new content at

given points in time; submitting received call processing language scripts to assist establishment

of a new session (Ullman, col. 5, lines 4-12); determining round trip delay between the browser

and the content server of the selected hyperlink and adjusting switchover times on the

determination (Ullman, col. 6, lines 24-34 & lines 55-59); determining permanent terminal or

terminal location specific implications to general session establishment time and adjusting

switchover schedules based on the determination; A performing procedures needed to join a

multicast session; reserving network resources for a. new session under establishment or a link or

data stream being resumed; freeing network resources for a new session being cleared or a link

or data stream being paused; performing video/audio content switchover at a given point in time

(Ullman, col. 8, lines 44-67); comparing link descriptive information with user preference

attributes and browser capabilities, in case of failure to satisfy the preference attributes; and

cancelling the visualization of the link to the user in case of failure (Ullman, col. 3, lines 50-67).

8.   As per claim 15,21,30,33,44,59,65 Ullman-Hidary disclosed wherein said step (f) comprises maintaining a session to the first content server and the switchover application performs the following steps: establishing a new session toward the content of the selected hyperlink at a given point in time; pausing the video/audio content stream of the original content at said step (f); resuming the video/audio content stream of the original content at switchover back to the original content; and releasing the new session toward the content of the selected hyperlink after switchover back to the original content (Ullman, col 8, lines 44-67).

9.   As per claim 16,22,31,45,60,66 Ullman-Hidary disclosed wherein said step of resuming the video/audio content stream of the original content including resuming at the point in the original content at which the original content was paused (Ullman, col. 9, lines 25-31).

10.   As per claim 17,23,32,46,61,67 Ullman-Hidary disclosed wherein the switchover application caches a history of switchover applications (Hidary, 18-29).

11.   As per claim 18,42,57 Ullman-Hidary disclosed wherein said steps (d), (e), and (f) are performed using a switchover application associated with the video in the first content server, said step of transmitting a link stream comprises transmitting a link stream including link selection and switchover preparation schedules, said switchover preparation schedules specified ascii tag notation such that said switchover application performs the step of interpreting said ascii tag notation (Ullman, col. 6, lines 34-51).

12.   As per claim 19,63 Ullman-Hidary disclosed wherein said step (d) includes using an algorithm that determines the location of a hyperlink based on visual characteristics in the video (Ullman, col. 7, lines 40-51).

As per claim 24,62 Ullman-Hidary failed to disclose wherein said step (b) comprises transmitting the video from a current content server to a video browser of a user display via a media proxy controlled by a call processing server (Hidary, lines 33-41).

13.   As per claim 25 Ullman-Hidary disclosed further comprising the step of downloading a switchover application to said call processing server or a service control means connected to said call processing server, said switchover application containing information on links in the video being transmitted in said step (b) (Ullman, col. 7, lines 40-51).

14.   As per claim 35 Ullman-Hidary disclosed further comprising means for transmitting a link stream containing said content reference of said at least one hyperlink from said first content server to said browser on a first communication channel and transmitting said video from said first content server to said browser in parallel to said link stream on a second communication channel (Ullman, col. 8, lines 19-37).

15.   As per claim 34 Ullman –Hidary disclosed a system for processing a time-dependent hyperlink in a video, comprising: a first content server comprising a video; a user input/output device comprising a display for displaying the video and an input output device for selecting a position on said display (Ullman, col. 4, lines 42-54); a browser arranged for connecting said user input/output device to said first content server (Ullman, col. 7, lines 45-51); at least one hyperlink and content reference cross-referenced with coordinates indicating where the at least one hyperlink appears in the video stored in said first content server (Ullman, col. 9, lines 16-24), said coordinates including display position and time during the video (Hidary, col. 6, lines 60-65), and said content reference indicating a second content server comprising an electronic document to which the hyperlink is linked; means for determining when said hyperlink is selected by determining when coordinates at which the hyperlink appears in the video are selected; and means for switching over a connection of said browser from said first content server to said second content server for user access to said electronic document in said second content server when said means for determining determines that said hyperlink has been selected (Ullman, col. 10, lines 23-45 & col. 9, lines 9-24).

16.   As per claim 38,53 Ullman-Hidary disclosed wherein said content server comprises a switchover application for performing a smooth switchover and said means for performing a

smooth switchover comprises a means for using said switchover application (Ullman, col. 6, lines 37-48).

17. As per claim 47 Ullman-Hidary disclosed wherein said content server further comprises a link database (Ullman, col. 6, lines 55-62)

18. As per claim 48 Ullman-Hidary disclosed further comprising means for downloading said link database to said browser (Ullman, col. 6, lines 44-51).

19. As per claim 49 Ullman-Hidary disclosed wherein said means for determining when said hyperlink is selected comprises means for querying said link database (Ullman, col. 10, lines 46-54).

20. As per claim 50 Ullman-Hidary disclosed further comprising a call processing server arranged between said browser and said first content server, said call processing server comprising said means for switching over a connection of said user input/output device from said first content server to said second content server (Ullman, col. 8, lines 44-67).

21. As per claim 68 Ullman-Hidary disclosed wherein a second content reference and a third content reference are both associated with said at least one hyperlink such that said means for switching over a connection further comprises means for switching over a connection of said browser from said second content reference to said third content reference of said at least one hyperlink after completion of said second content reference is completed (Ullman, col. 8, lines 44-67).

Conclusion

22. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Adnan Mirza whose telephone number is (703)-305-4633.

23.   The examiner can normally be reached on Monday to Friday during normal business hours.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dharia Rupal can be reached on (703)-305-4003. The fax for this group is (703)-746-7239.

24.   The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)-746-7239 (For Status Inquiries, Informal or Draft Communications, please label "PROPOSED" or "DRAFT");

(703)-746-7239 (For Official Communications Intended for entry, please mark "EXPEDITED PROCEDURE"),

(703)-746-7238 (For After Final Communications).

25.   Any Inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-3900.

Any response to a final action should be mailed to:

BOX AF

        Commissioner of Patents and Trademarks Washington, D.C.20231

Or faxed to:

        Hand-delivered responses should be brought to 4th Floor Receptionist, Crystal Park II, 2021 Crystal Drive, Arlington, VA 22202.

Adnan Mirza

Examiner

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER